

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

_____)	
Boston Edison Company)	
Cambridge Electric Company)	M.D.T.E. 03-121
Commonwealth Electric Company)	
d/b/a NStar Electric)	
_____)	

**PETITION TO INTERVENE
ON BEHALF OF
THE ENERGY CONSORTIUM
AND FIVE NAMED MEMBERS**

The Energy Consortium (“TEC”) and five members, Harvard University, Polaroid Corporation, Massachusetts Institute of Technology, USG Corporation, and Shaw’s Supermarkets hereby petition for leave to intervene and participate in the above captioned matter. In support of this request Petitioners offer the following:

- (1) TEC is a non-profit association of large commercial, industrial, institutional and governmental energy users in Massachusetts and has been concerned with energy regulatory matters for over 31 years. It advocates positions that promote fair cost-based energy rates, diversified supplies and reliable service for both its members and all Massachusetts ratepayers. TEC has been a participant in other electrical regulatory matters and its members will be substantially and specifically affected by the NStar Electric Standby rate tariffs proposed in D.T.E. 03-121.

- (2) Harvard University, Polaroid Corporation, Massachusetts Institute of Technology, USG Corporation, and Shaw's Supermarkets are members of TEC and own and operate facilities within the NStar service territories.
- (3) The Department may "allow any person showing that he may be substantially and specifically affected by the proceeding to intervene as a party in the whole or any portion of the proceeding, and allow any other interested person to participate by presentation of argument orally or in writing, or for any other limited purpose, as the agency may order." Mass. Gen. Laws c.30A Section 10 (4), see also, 220 C.M.R. 1.03(1)(b).
- (4) TEC has a number of members located within the service territories of Boston Edison Company, Cambridge Electric Light Company, and Commonwealth Electric Company d/b/a NStar Electric ("NStar"). Some of these members, together with other C&I customers, are planning new, or expanded, on-site electrical generation and will be burdened with increased investment and operating costs associated with the proposed tariffs. This will be an added financial barrier as they plan investments for more environmentally sound and energy efficient operations within NStar service territories.
- (5) TEC continues to be concerned that its members, and other C&I customers similarly situated, are far from fully utilizing the capacity of their Massachusetts facilities yet they are building new facilities outside Massachusetts in the Northeast Region and elsewhere. They are moving production and services away from Massachusetts primarily due to the cost of

doing business in this state – with energy cost and fairness being an important part of their decision.

- (6) The tariffs proposed in D.T.E 03-121 would further burden these businesses and must be evaluated carefully, with a full understanding of their impacts on Massachusetts businesses. TEC can provide DTE with valuable insight and relevant input.

For the reasons set forth above, TEC and five of its members, Harvard University, Polaroid Corporation, Massachusetts Institute of Technology, USG Corporation, and Shaw's Supermarkets, respectfully Petition the Department for the right to intervene and participate in this proceeding without limitation. TEC and five of its members further request that all notices, testimony, pleadings, correspondence or any other materials submitted in this matter be forwarded to:

Roger Borghesani, Chairman
The Energy Consortium
24 Hastings Road
Lexington, MA 02421-6807
Phone/Fax 781-862-0888

RESPECTFULLY SUBMITTED
On Behalf of TEC and five named
members by its attorney,

Richard G. Mills, Esq
7 Tanager Street
Arlington, MA 02476
781-646-4635

Dated: February 2, 2004

CERTIFICATE OF SERVICE

I hereby certify, under the pains and penalties of perjury, that the foregoing **Petition to Intervene** was served on February 2, 2004, by deposit postage prepaid in First Class US Mail, upon:

William H. Stevens, Jr., Hearing Officer
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Signed, _____
Richard G. Mills, Esq.